

REMARKS

Claims 1 and 4-9 are pending in the application. Claim 1 has been amended. Claims 2 and 3 have been cancelled. Claims 4-9 have been added. Claims 1, 8, and 9 are in independent form.

Claim Rejections – 35 USC §102

Claims 1-3 stand rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,648,393 to Milnar et al. ("the '393 reference"). Applicants respectfully traverse the rejection.

The '393 reference discloses a single release lever 52 that causes pivotal movement of a first link 60 about its pivot axis 66 so that a cam surface 68 of the first link 60 engages a corresponding cam surface on a link portion 62 of a hook portion 44 to cause pivotal movement of the hook portion 44 about its pivot axis 64 to withdraw the hook portion 44 from an aperture 40 against the bias of a spring 70.

Claim 1 of the above-captioned application includes the limitation "a release cam member operatively coupled between said pair of opposing front and rear latch plates for simultaneously engaging and pivotally releasing said pair of opposing front and rear latch plates from engagement with the rear slide rail to selectively couple said rear latch mechanism to the rear slide rail."

The '393 reference does not disclose a release cam member operatively coupled between a pair of opposing front and rear latch plates for simultaneously engaging and pivotally releasing the pair of opposing front and rear latch plates. The Examiner identifies the hook portion 44 and the first link 60 and link portion 62 in the '393 reference as equivalent to the pair of opposing front and rear latch plates (110, 112) in the above-captioned application. The Examiner further identifies the single release lever 52 in the '393 reference as equivalent to the release cam member (130) in the above-captioned application. The Examiner contends that the release cam member 52 is operatively coupled between the front 44 and rear 60, 62 latch

plates. The Examiner further contends that the release cam member 52 engages the rear latch plate 60, 62 which also engages the front latch plate 44. In the '393 reference, the single release lever 52 causes pivotal movement of the first link 60 about its pivot axis 66 so that the cam surface 68 of the first link 60 engages the corresponding cam surface on the link portion 62 of the hook portion 44 to cause pivotal movement of the hook portion 44 about its pivot axis 64. See column 3, lines 52-59. The single release lever 52 does not simultaneously engage the hook portion 44 and the first link 60 and link portion 62, as specifically required by claim 1 of the above-captioned application. In fact, the single release lever 52 does not engage the first link 60 at all. Thus, this limitation in claim 1 of the above-captioned application is clearly not shown in the '393 reference.

Claim 1 of the above-captioned application also includes the limitation "a rear release handle operatively coupled to the release cam member for effecting partial disengagement of said rear latch mechanism and said front latch mechanism enabling lateral sliding movement of the seat assembly along the front and rear slide rails."

The '393 reference does not disclose a release handle operatively coupled to a release cam member for effecting partial disengagement of a rear latch mechanism and a front latch mechanism to enable sliding movement of a seat assembly along front and rear slide rails. In the '393 reference, the rear clamping mechanism 48 is fully released by actuating the single release lever 52, rear release bar 56, or rear strap 58 to enable sliding movement of the seat 12 across the rails 16, 18 or for tumbling the seat 12 forward. There is no disclosure of partially releasing or partial disengagement of the rear clamping mechanism 48. Thus, this limitation in claim 1 of the above-captioned application is clearly not shown in the '393 reference.

Applicants have cancelled claims 2 and 3.

Therefore, Applicants respectfully request that the rejection of claims 1-3 under 35 U.S.C. §102(e) as being anticipated by the '393 reference be withdrawn.

New Claims

Applicants have added new independent claim 8. Claim 8 includes the limitation "a rear latch mechanism adapted to be operatively coupled to the rear slide rail, said rear latch mechanism having a mounting plate for supporting said riser assembly on the rear slide rail and a pair of opposing front and rear latch plates independently pivotally coupled to said mounting plate, each of said pair of opposing front and rear latch plates selectively engaging the rear slide rail for securing said rear latch mechanism to the rear slide rail" and the further limitation "a release cam member operatively coupled between said pair of opposing front and rear latch plates for simultaneously engaging and pivotally releasing said pair of opposing front and rear latch plates from engagement with the rear slide rail to selectively couple said riser assembly to the rear slide rail."

As set forth above, the '393 reference does not disclose a release cam member operatively coupled between a pair of opposing front and rear latch plates for simultaneously engaging and pivotally releasing the pair of opposing front and rear latch plates. **Further, the '393 reference does not disclose a pair of opposing front and rear latch plates independently pivotally coupled to a mounting plate, wherein each of the pair of opposing front and rear latch plates selectively engaging a rear slide rail.** In the '393 reference, only the hook portion 44 engages a second rail 16. The first link 60 clearly does not engage the second rail 16. These limitations are clearly not shown in the '393 reference and claim 8 is therefore allowable.

Applicants have added new independent claim 9. Claim 9 includes the limitation "a rear latch mechanism adapted to be operatively coupled to the rear slide rail, said rear latch mechanism having a mounting plate for supporting said riser assembly on the rear slide rail and a pair of opposing front and rear latch plates independently pivotally coupled to said mounting plate, each of said pair of opposing front and rear latch plates selectively engaging the rear slide rail for securing said rear latch mechanism to the rear slide rail" and the further limitation "a release cam member operatively coupled between said pair of opposing front and rear latch plates for simultaneously engaging and pivotally releasing said pair of opposing front and rear

Appl'n No: 10/566,455
Amdt dated October 14, 2008
Reply to Office action of July 14, 2008

latch plates from engagement with the rear slide rail to selectively couple said rear latch mechanism to the rear slide rail."

As set forth above, the '393 reference does not disclose a release cam member operatively coupled between a pair of opposing front and rear latch plates for simultaneously engaging and pivotally releasing the pair of opposing front and rear latch plates. **Further, the '393 reference does not disclose a pair of opposing front and rear latch plates independently pivotally coupled to a mounting plate, wherein each of the pair of opposing front and rear latch plates selectively engaging a rear slide rail.** In the '393 reference, only the hook portion 44 engages a second rail 16. The first link 60 clearly does not engage the second rail 16. These limitations are clearly not shown in the '393 reference and claim 9 is therefore allowable.

Therefore, it is respectfully submitted that this patent application is in condition for allowance, which allowance is respectfully solicited. If the Examiner has any questions regarding this amendment or the patent application, the Examiner is invited to contact the undersigned.

The Commissioner is hereby authorized to charge any additional fee associated with this Communication to Deposit Account No. 50-1759. A duplicate of this form is attached.

Respectfully submitted,



David J. Ford (Reg. No. 62,462)
Clark Hill PLC
500 Woodward Avenue, Suite 3500
Detroit, MI 48226-3435
(313) 965-8300

Date: Oct. 14, 2008
Attorney Docket No: 19365-124952